

Planning Board Minutes of August 26, 2013

Present: Brian Perry, Chairman
Dan Kowalik
Richard Forrestel
Mary Jane Shonn
Brian Murray, Alternate
Don Shonn, Attorney
Paul Bowers, Engineer

Absent: Charles Reid, Code Enforcer
Robert Anderson

Meeting Began: 7:03 P.M.

Chairman Perry opened the meeting with a welcome to everyone.

Cold Springs Construction Cell Tower Subdivision

Corey Auerbach, Attorney at Law, from Damon Morey, came before the Board to discuss the proposed minor subdivision of land at 3 Jackson Street regarding SBL # 47.10-1-17.1. On this 17.7 acre parcel there is a cell tower that they would like to subdivide into its own parcel so they can better separate the fees associated with the use of that tower. The new lot would be a 0.06 acre parcel that would separate the cell tower from the original 17 acres. The access to this parcel would be off of Flint Avenue. The tower has been on the property since 1997. Cold Springs Construction would continue to be the owner of both parcels. The Akron Fire Company has been notified of the proposal and the Board has not heard any comments back from them. With the application, the \$600 green space fee was included. There was discussion that the green space fee should be waived due to the fact that this is an industrial site and there is no need for green space to be addressed.

RESOLUTION duly moved by Shonn and seconded by Murray to approve the minor subdivision application associated with SBL # 47.10-1-17.1 to make a 0.06 acre parcel for the cell tower and to waive the \$600.00 green space fee associated with the minor subdivision application.

Adopted	Brian Perry	- Aye
	Daniel Kowalik	- Aye
	Mary Jane Shonn	- Aye
	Brian Murray	- Aye

Richard Forrestel abstained from voting as he is the owner of the property.

Kurt Schie Jackson Street Re-Zoning

Robert Friedman, Alan Hopkins and Kurt Schie appeared in front of the Board to discuss the rezoning of his parcel located at 42 Jackson Street in the Village of Akron. The current zoning of the property is R-3 and he is seeking to have it rezoned to I-2. Mr. Schie currently has two existing building that he operates his business out of and would like to rezone the six acres that he currently owns into as an industrial park. Kurt previously appeared in front of the Village Board of Trustees regarding this topic and they referred this subject to the Planning Board.

When Mr. Schie acquired this property he had to address all the possible environmental concerns that were brought up. This parcel was once used as a junk yard. He remediated the property before it was rezoned to residential. There is currently industrial property that borders this proposed change and Kurt will maintain the property in nice care as long as he is the owner. He is the owner of the Maxx Equity apartments that border the property on the south side on Westgate Avenue. He does not want to jeopardize those units with this zoning change. In the future he would like to put up another four buildings that he could lease business space in the future. He currently employs 7 full time employees and his operation is strictly to assemble farm implements that get delivered to him and get them ready for shipping.

Village Attorney Shonn noted that he owns another 12 acres and inquired if he would like to rezone the rest of the parcel, but he was not interested at this time. If the Planning Board was to recommend the rezoning of this parcel, then a local law would need to be adopted by the Village of Akron and there would have to be a public hearing held for those who might have comments or concerns. To conform this parcel to the current master plan, a resolution from the Village Board would be needed. Originally this parcel was zoned industrial, but the master plan zoning was changed to residential when the thought was to make more space for residential housing.

RESOLUTION duly moved by Murray and seconded by Perry to recommend to the Village Board of Trustees to rezone the parcel at 42 Jackson Street to I-2 based on the facts that there is industrial property that borders the parcel, the parcel was once zoned industrial and the environmental concerns on the property have been addressed and cleared. Carried Unanimously.

Akron Village Commons

Noel Dill from the Akron Village Commons appeared to give the Board an update on the status of the current project. They are currently talking with the Army Corps of Engineers and they think that there is a way that they will not need to construct the two bridges. Once they have an updated plan they will bring it back to the Board. He then inquired about the possibility that they could construct four model homes to start getting sales moving for the

first phase. The models would not be hooked up to any public utilities. The Board was not in favor of this request. Attorney Shonn noted that this would be considered a minor subdivision and that the homes would need to be hooked up to public utilities. If they wanted to do the four model homes, then they would have to make a phase 1A for the four models and then a phase 1B for the remaining 50 homes. The drainage would have to make sure that it is directed to the north side of the property to the retention area.

Mr. Dill noted that he will contact the Board and reappear when the new phase 1A and phase 1B drawings are ready to be approved to get the project started.

Code Enforcement

Michael Borth appeared in front of the Board and Chairman Perry introduced the Planning Board to him. Mr. Borth is one of the applicants for the Village of Akron Code Enforcement Officer position. Mr. Borth explained his credentials and his experience and took questions from the Board members. The Code Enforcement Officer needs to work closely with the Planning Board and it is very important that he is present at each of these meetings to answer any questions or concerns.

Meeting adjourned at 8:45 P.M. on a motion from Kowalik and seconded by Murray. Carried Unanimously

Next Planning Board meeting: October 1, 2013 at 7:00 pm

Submitted by:

Brian Perry, Planning Board Chairman